UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/502,010	02/11/2000	Monica M.W.M. Roosen	142-315P	4651

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EXAMINER
POKRZYWA, JOSEPH R

ART UNIT	PAPER NUMBER
2622	

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/502,010	ROOSEN ET AL.
	Examiner	Art Unit
	Joseph R. Pokrzywa	2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _18 June 2004_.
2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-39_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1-39_ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. _____.
    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   Applicant's amendment was received on 6/18/04, and has been entered and made of record. Currently, **claims 1-39** are pending.

Response to Arguments

2.   Applicant's arguments, see pages 10-14, filed 6/18/04, with respect to the rejection(s)of the currently amended **claims 1, 17, and 24**, which were cited in the Office action dated 3/18/04 under 35 U.S.C.102(e), as being anticipated by both Uda *et al.* (U.S. Patent Number 5,933,580) and Nakai *et al.* (U.S. Patent Number 5,946,457), have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of the reference of Toda (U.S. Patent Number 6,256,107), which was cited in the Office action dated 3/18/04 under Pertinent Prior Art. A full discussion of Toda follows below.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   **Claims 1-39** are rejected under 35 U.S.C. 102(e) as being anticipated by Toda (U.S.

Patent Number 6,256,107, cited in the Office action dated 3/18/04 under Pertinent Prior Art).

Regarding *claim 1*, Toda discloses a system for generating digitized documents for a

digital environment (see abstract) comprising a plurality of scanners (see Figs. 10, 11, 13, and

14), each provided with a local operator control unit (column 7 lines 3 through 9, and column 11,

line 63 through column 12, line 61), a management unit connected to the scanners (column 14,

line 53 through column 15, line 15) and provided with inputting means for receiving, from the

digital environment, a request for a digitized document (see Figs. 1 and 2, column 13, lines 26

through 64, and column 16, lines 48 through 62), warning means for communicating a request

for a digitized document to the plurality of scanners (column 15, lines 53 through 67), receiving

means for receiving from any one of the scanners an acceptance of the request as selected via the

local operator control unit of that scanner (column 15, lines 53 through 67), and allocation means

whereby, in response to the acceptance, a scan order for generation of the digitized document

requested in the request is allocated to the scanner which sent the acceptance (column 15, lines

53 through 67, and column 20, line 55 through column 21, line 9).

Regarding *claim 2*, Toda discloses the system discussed above in claim 1, and further teaches that the receiving means includes means for receiving from a first scanner an inquiry concerning information regarding a request (column 15, lines 53 through 67, and column 20, line 55 through column 21, line 8), means for offering the requested information (column 15, lines 53 through 67, and column 20, line 55 through column 21, line 8), and means for receiving from the first scanner an acceptance of a request selected with aid of the local operator control means of the first scanner (column 15, lines 53 through 67, and column 20, line 55 through column 21, line 8).

Regarding *claim 3*, Toda discloses the system discussed above in claim 1, and further teaches that the management unit is also provided with means for checking whether the requested digitized document is already available in a required digital form in a connected database (column 5, line 54 through column 6, line 8, and column 10, lines 4 through 14).

Regarding *claim 4*, Toda discloses the system discussed above in claim 1, and further teaches that the allocation means, when allocating the scan order, prevents other scanners from accepting the request concerned for a digitized document (column 21, line 26 through column 22, line 67).

Regarding *claim 5*, Toda discloses the system discussed above in claim 1, and further teaches that the request for a digitized document also contains a specification of required properties and format of the document (column 14, line 60 through column 15, line 67, and column 20, line 55 through column 21, line 8).

Regarding *claim 6*, Toda discloses the system discussed above in claim 5, and further teaches that the management unit, when allocating the scan order, automatically transmits to the

accepting first scanner the specification associated with the relevant request (column 14, line 60 through column 15, line 67, and column 20, line 55 through column 21, line 8).

Regarding *claim 7*, Toda discloses the system discussed above in claim 5, and further teaches that the management unit simultaneously with indicating that a request has been received for a digitized document automatically transmits to applicable scanners the specification associated with the request (column 14, line 60 through column 15, line 67, and column 20, line 55 through column 21, line 8).

Regarding *claim 8*, Toda discloses the system discussed above in claim 6, and further teaches that the first scanner is provided with means for automatically adjusting the scanning process to generate the required document in accordance with the specification in the request after allocation of the scan order (column 14, line 60 through column 16, line 46, and column 20, line 55 through column 21, line 8).

Regarding *claim 9*, Toda discloses the system discussed above in claim 1, and further teaches that the request for a digitized document also contains a message to an operator of the scanner (column 13, lines 23 through column 14, line 51).

Regarding *claim 10*, Toda discloses the system discussed above in claim 1, and further teaches that the request for a digitized document also contains a precondition for processing (column 13, lines 23 through column 14, line 51).

Regarding *claim 11*, Toda discloses the system discussed above in claim 10, and further teaches that the precondition is used by the management unit as a contributory factor in indicating the received requests for a digitized document (column 14, line 53 through column 15, line 67).

Regarding *claim 12*, Toda discloses the system discussed above in claim 1, and further teaches that each of the scanners is provided with a display (see Figs. 5, 6, and 8(a)-9(e)) and with means for indicating thereon a request for a digitized document (column 9, line 24 through column 10, line 41).

Regarding *claim 13*, Toda discloses the system discussed above in claim 1, and further teaches that the management unit is provided with means for indicating a request for a digitized document in the form of a signal perceptible to an operator (column 9, line 24 through column 10, line 41, and column 14, line 65 through column 15, line 48).

Regarding *claim 14*, Toda discloses the system discussed above in claim 1, and further teaches that the management unit is provided with means for indicating a request for a digitized document only to those scanners which are capable of executing a scanning process in accordance with the request (column 15, line 53 through column 17, line 4).

Regarding *claim 15*, Toda discloses the system discussed above in claim 1, and further teaches that the management unit is provided with means for automatically dividing a first request for a digitized document into a plurality of second requests with different specifications (column 15, lines 53 through 67, and column 20, line 55 through column 21, line 8).

Regarding *claim 16*, Toda discloses the system discussed above in claim 15, and further teaches that the management unit is provided with means for assembling digitized partial documents generated in response to the second requests, to form a digitized document corresponding to the first request (column 15, lines 53 through 67, and column 20, line 55 through column 21, line 8).

Regarding *claim 17*, Toda discloses a management unit for managing a system for generating digitized documents for a digital environment (see abstract), the system having a plurality of scanners (see Figs. 10, 11, 13, and 14), each provided with a local operator control unit (column 7 lines 3 through 9, and column 11, line 63 through column 12, line 61), comprising inputting means for receiving, from the digital environment, a request for a digitized document (see Figs. 1 and 2, column 13, lines 26 through 64, and column 16, lines 48 through 62), warning means for communicating a request for a digitized document to the plurality of scanners (column 15, lines 53 through 67), receiving means for receiving from any one of the scanners an acceptance of the request as selected via the local operator control unit of that scanner (column 15, lines 53 through 67), and allocation means whereby, in response to the acceptance, a scan order for generation of the digitized document requested in the request is allocated to the scanner which sent the acceptance (column 15, lines 53 through 67, and column 20, line 55 through column 21, line 9).

Regarding *claim 18*, Toda discloses the management unit discussed above in claim 17, and further teaches that the receiving means includes means for receiving from a first scanner an inquiry concerning information regarding a request (column 15, lines 53 through 67, and column 20, line 55 through column 21, line 8), means for offering the requested information (column 15, lines 53 through 67, and column 20, line 55 through column 21, line 8), and means for receiving from the first scanner an acceptance of a request selected with aid of the local operator control unit of the first scanner (column 15, lines 53 through 67, and column 20, line 55 through column 21, line 8).

Regarding *claim 19*, Toda discloses the management unit discussed above in claim 17, and further teaches of means for checking whether the requested digitized document is already available in a required digital form in a connected database (column 5, line 54 through column 6, line 8, and column 10, lines 4 through 14).

Regarding *claim 20*, Toda discloses the management unit discussed above in claim 17, and further teaches that the allocation means, when allocating the scan order, prevents other scanners from accepting the request concerned for a digitized document (column 15, lines 53 through 67, and column 20, line 55 through column 21, line 9).

Regarding *claim 21*, Toda discloses the management unit discussed above in claim 17, and further teaches of means for indicating a request for a digitized document only to those scanners which are capable of executing a scanning process in accordance with the request (column 15, line 53 through column 17, line 4).

Regarding *claim 22*, Toda discloses the management unit discussed above in claim 17, and further teaches of means for automatically dividing a first request for a digitized document into a plurality of second requests with different specifications (column 15, lines 53 through 67, and column 20, line 55 through column 21, line 8).

Regarding *claim 23*, Toda discloses the management unit discussed above in claim 22, and further teaches of means for assembling digitized partial documents generated in response to the second requests, to form a digitized document corresponding to the first request (column 15, lines 53 through 67, and column 20, line 55 through column 21, line 8).

Regarding *claim 24*, Toda discloses a method of making digitized documents available to a digital environment (see abstract), comprising receiving a request for a digitized document

from the digital environment in a central management unit (see Figs. 1 and 2, column 13, lines 26 through 64, and column 16, lines 48 through 62), automatically indicating from the central management unit to a plurality of scanners that a request for a digitized document has been received (column 15, lines 53 through 67), selecting the request by local operator control means of any one of the scanners, and sending an acceptance of the request from that accepting scanner to the central management unit (column 15, lines 53 through 67), in response to receiving the acceptance, automatically allocating a scan order by the central management unit to the accepting scanner for generation of the digitized document requested in the request (column 15, lines 53 through 67, and column 20, line 55 through column 21, line 9), and executing the scan order on the accepting scanner (column 15, lines 53 through 67, and column 20, line 55 through column 21, line 9).

Regarding *claim 25*, Toda discloses the method discussed above in claim 24, and further teaches that the step of selecting and accepting a request comprises inquiring, with aid of the local operator control means of the accepting scanner, for information concerning the request (column 15, lines 53 through 67, and column 20, line 55 through column 21, line 8), offering the requested information by the central management unit (column 15, lines 53 through 67, and column 20, line 55 through column 21, line 8), selecting a request with the aid of the local operator control means of the accepting scanner (column 15, lines 53 through 67, and column 20, line 55 through column 21, line 8), and sending an acceptance of the selected request from the accepting scanner to the central management unit (column 15, lines 53 through 67, and column 20, line 55 through column 21, line 8).

Regarding *claim 26*, Toda discloses the method discussed above in claim 24, and further

teaches that in response to the reception of the request for a digitized document, a check is first

made whether the requested document is already available in a required digital form in a

connected database (column 5, line 54 through column 6, line 8, and column 10, lines 4 through

14).

Regarding *claim 27*, Toda discloses the method discussed above in claim 24, and further

teaches that in allocating the scan order, other scanners are prevented from accepting the relevant

request for a digitized document (column 21, line 26 through column 22, line 67).

Regarding *claim 28*, Toda discloses the method discussed above in claim 24, and further

teaches that the request for a digitized document also contains a specification of required

properties and format of the document (column 14, line 60 through column 15, line 67, and

column 20, line 55 through column 21, line 8).

Regarding *claim 29*, Toda discloses the method discussed above in claim 24, and further

teaches that on allocation of the scan order the specification belonging to the associated request

is automatically transmitted from the central management unit to the accepting first scanner

(column 14, line 60 through column 15, line 67, and column 20, line 55 through column 21, line

8).

Regarding *claim 30*, Toda discloses the method discussed above in claim 24, and further

teaches that simultaneously with indicating that the request for a digitized document has been

requested the specification belonging to the request is automatically transmitted to applicable

scanners (column 14, line 60 through column 15, line 67, and column 20, line 55 through column

21, line 8).

Regarding *claim 31*, Toda discloses the method discussed above in claim 29, and further teaches that after allocation of a scan order the scanning process for generating the required digitized document on the accepting scanner is automatically adjusted in accordance with the specification in the request (column 14, line 60 through column 16, line 46, and column 20, line 55 through column 21, line 8).

Regarding *claim 32*, Toda discloses the method discussed above in claim 24, and further teaches that the request for a digitized document also contains a message to an operator of the accepting scanner (column 13, lines 23 through column 14, line 51).

Regarding *claim 33*, Toda discloses the method discussed above in claim 24, and further teaches that the request for a digitized document also contains a precondition for processing (column 13, lines 23 through column 14, line 51).

Regarding *claim 34*, Toda discloses the method discussed above in claim 33, and further teaches that the precondition is used by the central management unit as a contributory factor in indicating the received requests for a digitized document (column 14, line 53 through column 15, line 67).

Regarding *claim 35*, Toda discloses the method discussed above in claim 24, and further teaches that the indication that the request for a digitized document has been received is made in the form of a signal perceptible to an operator (column 9, line 24 through column 10, line 41, and column 14, line 65 through column 15, line 48).

Regarding *claim 36*, Toda discloses the method discussed above in claim 24, and further teaches that the indication that the request for a digitized document has been received is made in

the form of a message on a display on a scanner (see Figs. 5, 6, and 8(a)-9(e)), and column 9,

line 24 through column 10, line 41).

Regarding *claim 37*, Toda discloses the method discussed above in claim 24, and further

teaches that the request for a digitized document is indicated only at those scanners which are

capable of executing a scanning process in accordance with the request (column 15, line 53

through column 17, line 4).

Regarding *claim 38*, Toda discloses the method discussed above in claim 24, and further

teaches of dividing a first request for a digitized document into a plurality of second requests

with different specifications (column 15, lines 53 through 67, and column 20, line 55 through

column 21, line 8).

Regarding *claim 39*, Toda discloses the method discussed above in claim 38, and further

teaches that the central management unit assembles digitized part-documents generated in

response to the second requests, to form a digitized document corresponding to the first request

(column 15, lines 53 through 67, and column 20, line 55 through column 21, line 8).

Conclusion

5.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

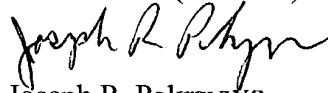MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Joe Pokrzywa whose telephone number is (703) 305-0146. The

examiner can normally be reached on Monday-Friday, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph R. Pokrzywa
Examiner
Art Unit 2622

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